#### Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 1 of 43

LINDA GAE FOSTER 7757 CORNETA COURT SPARKS, NV 89436

J. Craig Demetras Demetras & O'Neill 230 E. Liberty Street Reno, NV 89501

ADT Security Services Attn: Acct. # 5042 Bankruptcy Department 14200 E. Exposition Avenue Aurora, CO 80012

AT & T Attn: Acct. # Attn: Acct. #
Bankruptcy Department P. O. Box 989045 W. Sacramento, CA 95798-9045 Henderson, NV 89074

Bank of America Attn: Acct. # 2491 Bankruptcy Department P. O. Box 5170 Simi Valley, CA 93062-5170

Bank of America Attn: Acct. # 1373 Bankruptcy Department P. O. Box 5170

Bank of America P. O. Box 10221 Van Nuys, CA 91410-0221

Bank of America P. O. Box 515503

Bay Area Credit Service Attn: Acct. # 2367 Bankruptcy Department P. O. Box 468449 Atlanta, GA 31146

Best Buy

Attn: Acct. # 4819

Bankruptcy Department

P. O. Box 60148

City of Industry, CA 91716-0148

Attn: Acct. # 3118

Attn: Acct. # 3118

Bankruptcy Department

Bankruptcy Department

Bankruptcy Department

Bankruptcy Department

Bankruptcy Department

Bankruptcy Department

P. O. Box 11647

Reno, NV 89510-1647

Cimarron Master Association c/o EBMC Bankruptcy Department
P. O. Box 12580
P. O. Box 2983 P. O. Box 12580 Reno, NV 89510

Attn: Acct. # Bankruptcy Department 777 Forest Street Reno, NV 89509

Franklin Collection Service, In Nevada Labor Commission Attn: Acct. # Bankruptcy Department Suite 226
P. O. Box 3910 Carson Cit Tupelo, MS 38803-3910

Hampton & Hampton Attn: Acct. # 300 Booth Street
Bankruptcy Department Room 2129
8965 South Pecos Rd., Ste 9A Reno, NV 89509

Hampton & Hampton 8965 S. Pecos Rd., Ste 9A Henderson, NV 89074

HSBC Card Services Attn: Acct. # 3118 Bankruptcy Department

Bankruptcy Department

Bankruptcy Department

695 Bylant Street P. O. Box 60102 Simi Valley, CA 93062-5170 City of Industry, CA 91716-0102 Atlanta, GA 30306

> Internal Revenue Service RC Willey Attn: Acct. # Bankruptcy Department P. O. Box 21125 Philadelphia, PA 19114

Internal Revenue Service P. O. Box 21126 Los Angeles, CA 90051-6803 Philadelphia, PA 19114-0326

> Internal Revenue Service Attn: Bankruptcy Dept 110 City Parkway Las Vegas, NV 89106

Kohl's Attn: Acct. # 0635 Milwaukee, WI 53201-2983

Collection Service of Nevada Nevada Dept. of Taxation Bankruptcy Division 4600 Kietzke Lane Suite L-235 Reno, NV 89502

> 675 Fairview Drive Carson City, NV 89701-54

Office of the U.S. Trustee

Preferred Homecare Attn: Acct. # 3005 Bankruptcy Department P. O. Box 40700 Mesa, AZ 85274-0700

Purchasing Power Attn: Acct. # 695 Bylant Street

Attn: Acct. # Bankruptcy Department 2301 S. 300 West Salt Lake City, UT 84115

RC Willey Attn: Acct. # Bankruptcy Department P. O. Box 410429 Salt Lake City, UT 84141-0429

Saint Mary's Hospital 235 W. 6th Street Reno, NV 89503

Saint Mary's Primary Care Plus Bankruptcy Department

Sears Credit Card
Attn: Acct. # 4349
Bankruptcy Department
P.O. Box 688956
Des Moines, IA 50368-8956

State of Nevada Employment Security Division 500 E. Third Street Carson City, NV 89713

Valentine & Kebartas, Inc. Attn: Acct. # Bankruptcy Department P. O. Box 325 Lawrence, MA 01842-0625

Vital-N-Green Attn: Acct. # 6416 Bankruptcy Department 961 Pete's Way Sparks, NV 89434

Wells Fargo Dealer Services Attn: Acct. # 3951 Bankruptcy Department P. O. Box 25341 Santa Ana, CA 92799-5341

Wells Fargo Financial Attn: Acct. # 5902 Bankruptcy Department P. O. Box 660041 Dallas, TX 75266-0041

Woman Within
Attn: Acct. # 4663
Bankruptcy Department
P. O. Box 659728
San Antonio, TX 78265-9728

### Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 3 of 43

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:		,	Bankruptcy N	lo.:	
LINDA GAE FOSTER		) ) )	Chapter	13	
		) )	VERIFICA MATRIX	TION OF CREDITOR	
	Debtor(s).	) ) )			
The above namhis/her knowledge.	ed Debtor hereby verific	es that the a	ttached list of c	creditors is true and correct to	the best of
Date <b>9/30/2010</b>		Si	-	IDA GAE FOSTER A GAE FOSTER	

vercredmatrix.wpd rev. 4/12/07

B1 (Official Form 1) @/@e 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 4 of 43 **United States Bankruptcy Court Voluntary Petition** District of Nevada Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): FOSTER, LINDA, GAE All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than one, state all): than one, state all): 3883 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 7757 CORNETA COURT SPARKS, NV ZIP CODE ZIP CODE 89436 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: WASHOE Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Chapter of Bankruptcy Code Under Which Nature of Business (Form of Organization) the Petition is Filed (Check one box) (Check one box) (Check one box.) ☐ Health Care Business ☐ Chapter 7 ☐ Chapter 15 Petition for Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Chapter 11 □ Railroad Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Stockbroker Chapter 12 Partnership Recognition of a Foreign ☐ Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding Chapter 13 Clearing Bank check this box and state type of entity below.) Nature of Debts □ Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an ■ Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose.' Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to to adjustment on more classes HIS SPACE IS FOR

	Filing Fee waiver attach signed app				• /		4/01/13 a Check all app  ☐ A plan is ☐ Acceptan	and every three ye plicable boxes being filed with the ces of the plan we		
	tistical/Administ									THIS SPACE IS FOR COURT USE ONLY
	Debtor estimates Debtor estimates									COURT USE ONL!
Y	expenses paid, the			•						
	mated Number of	Creditors								
₹	Ц	Ц					ш			
1- 49	50- 99				001- 10,00 ,000 25,000	,	50,001- 100,000	Over 100,000		
		199	,,,,	3,000 10	,000 23,000	30,000	100,000	100,000		
Esti	mated Assets	<b>Z</b>								
\$01		\$100,001 to				\$50,000,001		\$500,000,001	More than \$1	
\$30	,000 \$100,000	\$500,000	\$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1 billion	billion	
Esti	mated Liabilities									
		<b>√</b>								
\$0 t \$50	\$50,001 to \$,000 \$100,000	\$100,001 to \$500,000	\$500,001 \$1 million	to \$1,000,000 to \$10 million	to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion	

Doc 1 Entered 09/30/10 14:52:20 Page 5 of 43 FORM B1, Page 2 B1 (Official Form 1) **4/20**e 10-53940-gwz Voluntary Petition Name of Debtor(s): (This page must be completed and filed in every case) LINDA GAE FOSTER All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Case Number: Date Filed: Location Where Filed: NONE Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number: NONE Relationship: District: Judge: Exhibit A Exhibit B (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts) 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) I, the attorney for the petitioner named in the foregoing petition, declare that I of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition. X /s/ J. Craig Demetras 9/30/2010 Signature of Attorney for Debtor(s) Date J. Craig Demetras 4246 Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition.  $\mathbf{\Lambda}$ No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately Ŋ preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate. general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District. or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following). (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the

filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Printed Name of Authorized Individual

Title of Authorized Individual

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

## Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 7 of 43

B6A (Official Form 6A) (12/07)

In re:	LINDA GAE FOSTER	Case No.			
	Debtor	_,	(If known)		

## **SCHEDULE A - REAL PROPERTY**

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
7757 Corneta Court Sparks, NV 89436	Fee Owner		\$ 159,000.00	\$ 141,702.63
	Total	>	\$ 159,000.00	

(Report also on Summary of Schedules.)

B6B (Official Form 6B) (12/07)

In re	LINDA GAE FOSTER		Case No.	
		Debtor	,	(If known)

## **SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		cash on hand		55.00
Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Bank of America		25.00
Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Bank of America - checking 6201		0.00
Security deposits with public utilities, telephone companies, landlords, and others.	Х			
Household goods and furnishings, including audio, video, and computer equipment.		computer		100.00
Household goods and furnishings, including audio, video, and computer equipment.		household furnishings		500.00
<ol> <li>Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.</li> </ol>		coin collection - state quarters		12.50
Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		DVD's, CD's		200.00
6. Wearing apparel.		clothing		100.00
7. Furs and jewelry.		earrings/necklace/rings		300.00
Firearms and sports, photographic, and other hobby equipment.		2 cameras		75.00
Firearms and sports, photographic, and other hobby equipment.		pistol		200.00
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Transamerica Worksite Marketing		0.00
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Transamerica Worksite Marketing (for minor son)		44.00
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	Х			

### Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 9 of 43

B6B (Official Form 6B) (12/07) -- Cont.

In re	LINDA GAE FOSTER		Case No.	
		Debtor	,	(If known)

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		403b		30,644.10
<ol> <li>Stock and interests in incorporated and unincorporated businesses. Itemize.</li> </ol>	X			
14. Interests in partnerships or joint ventures. Itemize.	X			
<ol> <li>Government and corporate bonds and other negotiable and nonnegotiable instruments.</li> </ol>	X			
16. Accounts receivable.	Х			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	Х			
<ol> <li>Other liquidated debts owed to debtor including tax refunds. Give particulars.</li> </ol>	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	Х			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	Х			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2008 Chevy Trailblazer		20,050.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	Х			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment and supplies used in business.	X			
30. Inventory.	Х			

### 

| B6B (Official Form 6B) (12/07) -- Cont. | Case No. \_\_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_\_ | Case No. \_\_\_\_\_\_\_\_ |

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
31. Animals.	Х			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	Х			
35. Other personal property of any kind not already listed. Itemize.	X			
	_	2 continuation sheets attached Total	al >	\$ 52,305.60

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

B6C (Official Form 6C) (4/10)

In re	LINDA GAE FOSTER	Case No.	
	Debtor	,	(If known)

## **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims the exemptions to which debtor is entitled under: (Check one box)	☐ Check if debtor claims a homestead exemption that exceeds \$146,450.*
☐11 U.S.C. § 522(b)(2)	
√ 11 U.S.C. § 522(b)(3)	

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
2 cameras	NRS § 21.090(1)(z)	75.00	75.00
2008 Chevy Trailblazer	NRS § 21.090(1)(f)	2,495.77	20,050.00
403b	NRS § 21.090(1)(r)	30,644.10	30,644.10
7757 Corneta Court Sparks, NV 89436	NRS § 21.090(1)(m)	17,297.37	159,000.00
Bank of America	NRS § 21.090(1)(z)	6.25	25.00
	NRS § 21.090(1)(g)	18.75	
cash on hand	NRS § 21.090(1)(z)	55.00	55.00
clothing	NRS § 21.090(1)(b)	100.00	100.00
coin collection - state quarters	NRS § 21.090(1)(z)	12.50	12.50
computer	NRS § 21.090(1)(b)	0.00	100.00
DVD's, CD's	NRS § 21.090(1)(z)	200.00	200.00
earrings/necklace/rings	NRS § 21.090(1)(a)	300.00	300.00
household furnishings	NRS § 21.090(1)(b)	500.00	500.00
pistol	NRS § 21.090(1)(i)	200.00	200.00
Transamerica Worksite Marketing (for minor son)	NRS § 687B.280	0.00	44.00

<sup>\*</sup> Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6D (Official Form 6D) (12/07)

In re	LINDA GAE FOSTER		Case No.	
		Debtor		(If known)

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 1373  Bank of America Attn: Acct. # 1373  Bankruptcy Department P. O. Box 5170 Simi Valley, CA 93062-5170			01/01/2003 Second Lien on Residence 7757 Corneta Court Sparks, NV 89436 VALUE \$159,000.00				16,848.38	0.00
ACCOUNT NO. 2491  Bank of America Attn: Acct. # 2491  Bankruptcy Department P. O. Box 5170 Simi Valley, CA 93062-5170  Bank of America P. O. Box 10221 Van Nuys, CA 91410-0221  Bank of America P. O. Box 515503 Los Angeles, CA 90051-6803  Hampton & Hampton 8965 S. Pecos Rd., Ste 9A Henderson, NV 89074			01/01/2003 First Lien on Residence 7757 Corneta Court Sparks, NV 89436 VALUE \$159,000.00				124,854.25	0.00
ACCOUNT NO.  Purchasing Power Attn: Acct. # Bankruptcy Department 695 Bylant Street Atlanta, GA 30306			Security Agreement computer  VALUE \$100.00				unknown	unknown

<u>1</u> continuation sheets attached

Subtotal → (Total of this page)

Total > (Use only on last page)

\$ 141,702.63	\$ 0.00
\$	\$

(Report also on Summary of (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

### Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 13 of 43

B6D (Official Form 6D) (12/07)- Cont.

In re	LINDA GAE FOSTER		Case No.	
		Debtor		(If known)

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 3951  Wells Fargo Dealer Services Attn: Acct. # 3951  Bankruptcy Department P. O. Box 25341  Santa Ana, CA 92799-5341			04/01/2009 Security Agreement 2008 Chevy Trailblazer VALUE \$20,050.00				17,554.23	0.00

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Secured Claims

Subtotal → (Total of this page)

Total → (Use only on last page)

\$ 17,554.23	\$ 0.00
\$ 159,256.86	\$ 0.00

(Report also on Summary of (If applicable, report Schedules) also on Statistical Summary of Certain Liabilities and Related Data.)

Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 14 of 43

36E	(Official Form 6E) (4/10)	
ln r	, vasc no.	
	Debtor (If known)	
	SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS	
	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.	
ΓΥΙ	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)	
	Domestic Support Obligations	
	Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or onsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in .S.C. § 507(a)(1).	
	Extensions of credit in an involuntary case	
appo	Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the intment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).	
	Wages, salaries, and commissions	
	Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying pendent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the ation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).	
	Contributions to employee benefit plans	
ess	Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the ation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).	
_	Certain farmers and fishermen	
	Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).	
	Deposits by individuals	
hat	Claims of individuals up to \$2,600* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, were not delivered or provided. 11 U.S.C. § 507(a)(7).	
Ą	Taxes and Certain Other Debts Owed to Governmental Units	
	Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).	

#### ☐ Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### ☐ Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

1 continuation sheets attached

<sup>\*</sup> Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

### Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 15 of 43

B6E (Official Form 6E) (4/10) - Cont.

In re	LINDA GAE FOSTER		Case No.	
	ENDA GAL I GOTEN	Debtor	,	(If known)

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Type of Priority: Taxes and Certain Other Debts Owed to Governmental Units

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO.  Internal Revenue Service Attn: Acct. # Bankruptcy Department P. O. Box 21125 Philadelphia, PA 19114			2009 1040				1,854.00	1,854.00	\$0.00

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Priority Claims

Subtotals≯ (Totals of this page)

Total >
(Use only on last page of the completed
Schedule E. Report also on the Summary of
Schedules.)

Total > (Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data. )

\$ 1,854.00	\$ 1,854.00	\$ 0.00
\$ 1,854.00		
	\$ 1,854.00	\$ 0.00

B6F (Official Form 6F) (12/07)

In re	LINDA GAE FOSTER	Case No.	
	Dobtor	(If known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Chook the box is debter has no drouter			•				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 5042							79.95
ADT Security Services Attn: Acct. # 5042 Bankruptcy Department 14200 E. Exposition Avenue Aurora, CO 80012							
Valentine & Kebartas, Inc. Attn: Acct. # Bankruptcy Department P. O. Box 325 Lawrence, MA 01842-0625							
ACCOUNT NO.							74.41
AT & T Attn: Acct. # Bankruptcy Department P. O. Box 989045 W. Sacramento, CA 95798-9045							
Franklin Collection Service, Inc. Attn: Acct. # Bankruptcy Department P. O. Box 3910 Tupelo, MS 38803-3910							
Bay Area Credit Service Attn: Acct. # 2367 Bankruptcy Department P. O. Box 468449 Atlanta, GA 31146							

3 Continuation sheets attached

Subtotal > \$ 154.36

B6F (Official Form 6F) (12/07) - Cont.

In re	LINDA GAE FOSTER	Case No.	
	Debtor	(If known)	

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

<del></del>							
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 4819							2,244.79
Best Buy Attn: Acct. # 4819 Bankruptcy Department P. O. Box 60148 City of Industry, CA 91716-0148			credit account				
ACCOUNT NO.							872.00
Cimarron Master Association c/o EBMC Bankruptcy Department P. O. Box 12580 Reno, NV 89510							
Hampton & Hampton Attn: Acct. # Bankruptcy Department 8965 South Pecos Rd., Ste 9A Henderson, NV 89074							
ACCOUNT NO. 3118							2,125.99
HSBC Card Services Attn: Acct. # 3118 Bankruptcy Department P. O. Box 60102 City of Industry, CA 91716-0102 James A. West, P. C. Attn: Acct. # 3118 Bankruptcy Department 6380 Rogerdale Rd., Ste 130 Houston, TX 77072-1647			credit account				
Kohl's Attn: Acct. # 0635 Bankruptcy Department P. O. Box 2983			credit account				331.22
Milwaukee, WI 53201-2983							
Sheet no. $\underline{1}$ of $\underline{3}$ continuation sheets attached to Schedule of Cred Holding Unsecured Nonpriority Claims	dito	rs		Subt	otal	) > \$	5,574.00
				T	otal	\$ \$	
		,	(Use only on last page of the completed Scl (Report also on Summary of Schedules and, if applicable on the S Summary of Certain Liabilities and Rela	nedule Statisti	F.) cal	<u> </u>	

B6F (Official Form 6F) (12/07) - Cont.

		Dobtor	(If known)	
In re	LINDA GAE FOSTER		Case No.	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)							
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 3005							17.56
Preferred Homecare Attn: Acct. # 3005 Bankruptcy Department P. O. Box 40700 Mesa, AZ 85274-0700							
ACCOUNT NO.							467.33
RC Willey Attn: Acct. # Bankruptcy Department 2301 S. 300 West Salt Lake City, UT 84115 RC Willey Attn: Acct. # Bankruptcy Department P. O. Box 410429 Salt Lake City, UT 84141-0429							
Collection Service of Nevada Attn: Acct. # Bankruptcy Department 777 Forest Street Reno, NV 89509							
ACCOUNT NO.							1,600.00
Saint Mary's Hospital 235 W. 6th Street Reno, NV 89503			medical				

Sheet no.  $\,\underline{2}\,$  of  $\underline{3}\,$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

2,084.89 Subtotal >

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.)

B6F (Official Form 6F) (12/07) - Cont.

In re	LINDA GAE FOSTER	Case No.	_
	Dahtan	(If known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	соревтоя	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 0084							15.00
Saint Mary's Primary Care Plus Attn: Acct. # 0084 Bankruptcy Department P. O. Box 11647 Reno, NV 89510-1647			medical				
ACCOUNT NO. 4349							3,578.13
Sears Credit Card Attn: Acct. # 4349 Bankruptcy Department P.O. Box 688956 Des MOines, IA 50368-8956			credit account				
ACCOUNT NO. 6416							769.00
Vital-N-Green Attn: Acct. # 6416 Bankruptcy Department 961 Pete's Way Sparks, NV 89434							
ACCOUNT NO. <b>5902</b>							8,027.98
Wells Fargo Financial Attn: Acct. # 5902 Bankruptcy Department P. O. Box 660041 Dallas, TX 75266-0041			credit account				
ACCOUNT NO. 4663							517.42
Woman Within Attn: Acct. # 4663 Bankruptcy Department P. O. Box 659728 San Antonio, TX 78265-9728			credit account				

Sheet no.  $\underline{3}$  of  $\underline{3}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 12,907.53

Total > \$ 20,720.78

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.) B6G (Official Form 6G) (12/07)

In re:	LINDA GAE FOSTER		Case No.	
		Debtor	, ouse no. <u> </u>	(If known)

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

 $\ \square$  Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
AT & T Attn: Acct. # Bankruptcy Department P. O. Box 989045 W. Sacramento, CA 95798-9045	cell phone

Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 21 of 43

B6H (Official Form 6H) (12/07) In re: LINDA GAE FOSTER Case No. (If known) Debtor

## **SCHEDULE H - CODEBTORS**

☑ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

### Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 22 of 43

**B6I (Official Form 6I) (12/07)** 

In re	LINDA GAE FOSTER		Case No.			
		Debtor		(If known)		

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF	DEBTOR A	AND SPOUSE					
Status: single			107(0)					
		RELATIONSHIP(S):			AG	E(S):		
		son				8		
Employment:		DEBTOR		SPOUSE				
Occupation	Nurse	•						
Name of Employer	Catho	lic Healthcare West						
How long employed								
Address of Employer	2nd S Reno,							
INCOME: (Estimate of aver case filed)	age or p	projected monthly income at time		DEBTOR		SPOUSE		
Monthly gross wages, sal     (Prorate if not paid mo	lary, and	commissions	\$	5,465.64	\$			
Estimate monthly overtim			\$	0.00	\$			
3. SUBTOTAL			\$	5,465.64	\$			
4. LESS PAYROLL DEDUC	CTIONS	3	<u>,</u>					
a. Payroll taxes and so	ocial sec	curity	\$ \$	920.33 349.58	\$ \$			
b. Insurance c. Union dues			\$	72.32	\$			
d. Other (Specify)	403k	)	φ.	163.97	\$			
	dent			87.12	\$			
	life		Φ.	1.54	\$			
	LTD		Φ.	31.56	\$			
5. SUBTOTAL OF PAYRO	LL DED	DUCTIONS	\$	1,626.42	\$			
6. TOTAL NET MONTHLY	TAKE H	HOME PAY	\$	3,839.22	\$			
		f business or profession or farm						
(Attach detailed staten	nent)		\$	0.00	\$			
8. Income from real property	y		\$	0.00	\$			
Interest and dividends			\$	0.00	\$			
<ol><li>Alimony, maintenance o debtor's use or that of</li></ol>		rt payments payable to the debtor for the ents listed above.	\$	0.00	\$			
11. Social security or other (Specify)			\$	0.00	\$			
12. Pension or retirement in			\$	0.00	\$			
13. Other monthly income								
(Specify)			\$	0.00	\$			

Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 23 of 43

	Debtor	,		(If known)
In re	LINDA GAE FOSTER		Case No.	
B6I (Of	ficial Form 6I) (12/07) - Cont.			

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

- 14. SUBTOTAL OF LINES 7 THROUGH 13
- 15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)
- 16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ 0.00 \$	
\$ 3,839.22 \$	
 \$ 3,839.22	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document.:

**NONE** 

**B6J (Official Form 6J) (12/07)** 

In re LINDA GAE FOSTER		Case No.	
	Debtor	•	(If known)

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorati
any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may
differ from the deductions from income allowed on Form22A or 22C.

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debt any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly exp differ from the deductions from income allowed on Form22A or 22C.		
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a se	eparate schedule of	
expenditures labeled "Spouse."	•	
Rent or home mortgage payment (include lot rented for mobile home)	\$	1,149.03
a. Are real estate taxes included? Yes No  b. Is property insurance included? Yes No		
b. Is property insurance included?  Yes  No  V  V  V  V  V  V  V  V  V  V  V  V  V	\$	175.00
b. Water and sewer	\$ 	100.00
c. Telephone	\$ \$	0.00
d. Other cable	\$	95.00
cell phone		150.00
garbage	* <u>-                                     </u>	16.67
internet		45.00
3. Home maintenance (repairs and upkeep)		45.00
4. Food	\$	400.00
5. Clothing	\$	25.00
6. Laundry and dry cleaning	\$	25.00
7. Medical and dental expenses	\$	30.00
8. Transportation (not including car payments)	\$	120.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	20.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	0.00
d. Auto	\$	120.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	387.50
b. Other 2nd mortgage	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other professional dues	\$	4.17
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and,	¢	2 007 27
if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	2,907.37
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the	he filing of this docu	ment:
20. STATEMENT OF MONTHLY NET INCOME		
a. Average monthly income from Line 15 of Schedule I	\$	3,839.22
b. Average monthly expenses from Line 18 above	<u> </u>	2,907.37
c. Monthly net income (a. minus b.)	\$ *	931.85
	₹	331.00

B6 Summary (Official Form 6 - Summary) (12/07)

# United States Bankruptcy Court District of Nevada

In re LINDA GAE FOSTER		Case No.	
	Debtor	Chapter 13	

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 159,000.00		
B - Personal Property	YES	3	\$ 52,305.60		
C - Property Claimed as Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	2		\$ 159,256.86	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	2		\$ 1,854.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	4		\$ 20,720.78	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	2			\$ 3.839.22
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 2,907.37
TOTAL 18 \$		\$ 211,305.60	\$ 181,831.64		

Form 6 - Statistical Summary (12/07)

#### United States Bankruptcy Court District of Nevada

In re	LINDA GAE FOSTER	Case No.		
	Debtor	-, Chapter	13	
	STATISTICAL SUMMARY OF CERTAIN LIABILITI	ES AND RELATED D	OATA (28 U.S.C. § 159)	

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability		nount
Domestic Support Obligations (from Schedule E)	\$	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$	1,854.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$	0.00
Student Loan Obligations (from Schedule F)	\$	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E.	\$	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$	0.00
TOTAL	\$	1,854.00

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 3,839.22
Average Expenses (from Schedule J, Line 18)	\$ 2,907.37
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20)	\$ 6,381.11

#### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 1,854.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 20,720.78
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 20,720.78

Case 10-53940-gwz Doc 1 Entered 09/30/10 14:52:20 Page 27 of 43

B6 Declaration (Official Form 6 - Declaration) (12/07) In re LINDA GAE FOSTER Case No. (If known) Debtor **DECLARATION CONCERNING DEBTOR'S SCHEDULES DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR** I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 20 sheets, and that they are true and correct to the best of my knowledge, information, and belief. Date: 9/30/2010 Signature: s/ LINDA GAE FOSTER **LINDA GAE FOSTER** Debtor [If joint case, both spouses must sign] DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

B7 (Official Form 7) (4/10)

## UNITED STATES BANKRUPTCY COURT District of Nevada

In re:	LINDA GAE FOSTER	Case No.	
	Debtor	<del>-</del> )	(If known)

#### STATEMENT OF FINANCIAL AFFAIRS

#### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
81,575.00	wages	2007
73,651.00	wages	2008
83,391.00	wages	2009

#### 2. Income other than from employment or operation of business

None **☑**  State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE FISCAL YEAR PERIOD

#### 3. Payments to creditors

#### Complete a. or b., as appropriate, and c.

None **☑**  a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS

AMOUNT PAID AMOUNT STILL OWING None  $\mathbf{\Delta}$ 

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS/ **TRANSFERS** 

**AMOUNT** PAID OR VALUE OF **TRANSFERS** 

**AMOUNT** STILL **OWING** 

\*Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

None  $\mathbf{\Delta}$ 

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF **PAYMENT**  **AMOUNT** PAID

**AMOUNT** STILL OWING

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None Ø

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**CAPTION OF SUIT** AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY AND LOCATIO

STATUS OR DISPOSITION

 $\mathbf{\Lambda}$ 

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS **DESCRIPTION** OF PERSON FOR WHOSE DATE OF AND VALUE OF BENEFIT PROPERTY WAS SEIZED SEIZURE **PROPERTY** 

#### 5. Repossessions, foreclosures and returns

None  $\mathbf{\Delta}$ 

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER DATE OF REPOSSESSION. FORECLOSURE SALE, TRANSFER OR RETURN

**DESCRIPTION** AND VALUE OF **PROPERTY** 

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

TERMS OF

NAME AND ADDRESS DATE OF ASSIGNMENT
OF ASSIGNEE ASSIGNMENT OR SETTLEMENT

None **☑**  b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS

NAME AND ADDRESS

OF COURT

OF CUSTODIAN

NAME AND ADDRESS

OF COURT

CASE TITLE & NUMBER

ORDER

DESCRIPTION

AND VALUE OF

PROPERTY

#### 7. Gifts

None **☑**  List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	RELATIONSHIP		DESCRIPTION
OF PERSON	TO DEBTOR,	DATE	AND VALUE OF
OR ORGANIZATION	IF ANY	OF GIFT	GIFT

#### 8. Losses

None **☑**  List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION DESCRIPTION OF CIRCUMSTANCES AND, IF
AND VALUE OF LOSS WAS COVERED IN WHOLE OR IN PART DATE OF
PROPERTY BY INSURANCE, GIVE PARTICULARS LOSS

#### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE OF PAYMENT,

OF PAYEE

NAME OF PAYOR IF

DESCRIPTION AND VALUE

Demetras & O'Neill August 2, 2010 \$2,500.00

230 E. Liberty Street Reno, NV 89501

Springboard 7/30/10 \$55.00

#### 10. Other transfers

None **☑**  a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,

RELATIONSHIP TO DEBTOR

**DESCRIBE PROPERTY** 

4

**TRANSFERRED** 

AND VALUE RECEIVED

None **☑**  b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

**DEVICE** 

DATE(S) OF TRANSFER(S)

DATE

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR

INTEREST IN PROPERTY

#### 11. Closed financial accounts

None 
☑

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

#### 12. Safe deposit boxes

None **1** 

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES
OF THOSE WITH ACCESS

DESCRIPTION OF

DATE OF TRANSFER OR SURRENDER,

TO BOX OR DEPOSITOR CONTENTS IF ANY

#### 13. Setoffs

None **☑**  List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

5

#### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

> NAME AND ADDRESS **DESCRIPTION AND VALUE**

OF OWNER OF PROPERTY LOCATION OF PROPERTY

#### 15. Prior address of debtor

None  $\mathbf{\Lambda}$ 

If debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** NAME USED DATES OF OCCUPANCY

#### 16. Spouses and Former Spouses

None  $\mathbf{\Delta}$ 

 $\mathbf{Q}$ 

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor 's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None

 $\mathbf{Q}$ 

List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

SITE NAME AND NAME AND ADDRESS DATE OF **ENVIRONMENTAL** 

**ADDRESS** OF GOVERNMENTAL UNIT NOTICE LAW

None  $\mathbf{\Lambda}$ 

List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND NAME AND ADDRESS **ENVIRONMENTAL** DATE OF **ADDRESS** OF GOVERNMENTAL UNIT NOTICE LAW

٠		

None

List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None  $\square$ 

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

LAST FOUR DIGITS

OF SOCIAL SECURITY ADDRESS OR OTHER INDIVIDUAL

TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN NATURE OF **BUSINESS** 

BEGINNING AND ENDING

**DATES** 

None  $\square$ 

NAME

Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME **ADDRESS** 

[if completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 9/30/2010

Signature of Debtor

s/ LINDA GAE FOSTER **LINDA GAE FOSTER** 

B 8 (Official Form 8) (12/08)

## UNITED STATES BANKRUPTCY COURT District of Nevada

In re	LINDA GAE FOSTER	Case No.	
	Debtor	_	Chapter 7

### INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

**PART A** – Debts secured by property of the estate. (Part A must be fully completed for **EACH** debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
Creditor's Name: Bank of America	Describe Property Securing Debt: 7757 Corneta Court Sparks, NV 89436
Property will be (check one):	
☐ Surrendered ☐ Retained	
If retaining the property, I intend to <i>(check at least one</i> ☐ Redeem the property ☑ Reaffirm the debt	y):
_	(for example, avoid lien using 11 U.S.C. § 522(f))
Property is <i>(check one)</i> :  ☑ Claimed as exempt	■ Not claimed as exempt
Dropovity No. 2	7
Property No. 2	
Property No. 2  Creditor's Name: Bank of America	Describe Property Securing Debt: 7757 Corneta Court Sparks, NV 89436
Creditor's Name:	Describe Property Securing Debt: 7757 Corneta Court
Creditor's Name: Bank of America	Describe Property Securing Debt: 7757 Corneta Court
Creditor's Name: Bank of America  Property will be (check one):  □ Surrendered	Describe Property Securing Debt: 7757 Corneta Court Sparks, NV 89436
Creditor's Name: Bank of America  Property will be (check one):  □ Surrendered	Describe Property Securing Debt: 7757 Corneta Court Sparks, NV 89436
Creditor's Name: Bank of America  Property will be (check one):  □ Surrendered	Describe Property Securing Debt: 7757 Corneta Court Sparks, NV 89436
Creditor's Name:  Bank of America  Property will be (check one):  □ Surrendered	Describe Property Securing Debt: 7757 Corneta Court Sparks, NV 89436

B 8 (Official Form 8) (12/08)

Property No. 3			
Creditor's Name:		Describe Property	Securing Debt:
Purchasing Power		computer	
Property will be (check one):   Surrendered	∡ Retained		
If retaining the property, I intend to (compared in the property)  Reaffirm the debt	check at least one):		
_		(for example, avoid	lien using 11 U.S.C. § 522(f))
Property is <i>(check one)</i> :  ☑ Claimed as exempt		■ Not claimed as ex	empt
<del>-</del>		<del>-</del>	·
Property No. 4		ĺ	
Creditor's Name:		Describe Property	Securing Debt:
Wells Fargo Dealer Services		2008 Chevy Trailbl	azer
Property will be <i>(check one)</i> :   Surrendered	✓ Retained		
If retaining the property, I intend to (a ☐ Redeem the property ☑ Reaffirm the debt	check at least one):		
Other. Explain		(for example, avoid	lien using 11 U.S.C. § 522(f))
Property is <i>(check one)</i> :  ☑ Claimed as exempt		□ Not claimed as ex	empt
PART B – Personal property subject to each unexpired lease. Attach additional			art B must be completed for
Property No. 1			
Lessor's Name: AT & T	Describe Lease cell phone	d Property:	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2):  ✓ YES □ NO

## 

B 8 (Official Form 8) (12/08)	Page 3
0 continuation sheets attached (if any	<i>(</i> )
I declare under penalty of perjury that the securing a debt and/or personal property	e above indicates my intention as to any property of my estate subject to an unexpired lease.
Date: 9/30/2010	s/ LINDA GAE FOSTER
	LINDA GAE FOSTER Signature of Debtor
	Cignature of Bobton

B283 (Form 283) (04/10)

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re	LINDA GAE FOSTER	Case No	
	Debtor		
	CHAPTER 13 DEBTO	R'S CERTIFICATIONS REGARDING	
	DOMESTIC SUPPORT	OBLIGATIONS AND SECTION 522(q)	
Part I	Certification Regarding Domestic Support	t Obligations (check no more than one)	
r art i.	Pursuant to 11 U.S.C. Section 1328(a),	,	
	✓ I owed no domestic support obligation since required to pay any such obligation since	ation when I filed my bankruptcy petition, and I have not been e then.	
		y a domestic support obligation. I have paid all such amounts the I have also paid all such amounts that became due between the ay.	
Part II	If you checked the second box, you mus	st provide the information below.	
	My current address:		
	My current employer and my employer's	address:	
Part II	l. Certification Regarding Section 522(q) (	check no more than one)	
	Pursuant to 11 U.S.C. Section 1328(h),	I certify that:	
		pursuant to § 522(b)(3) and state or local law (1) in property thate, claims as a homestead, or acquired as a burial plot, as specific,450* in value in the aggregate.	
		roperty pursuant to § 522(b)(3) and state or local law (1) that I concluded as a homestead, or acquired as a burial plot, as specification for the aggregate.	

<sup>\*</sup>Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

### 

Part IV. Debtor's Signature

I certify under penalty of perjury that the information provided in these certifications is true and correct to the best of my knowledge and belief.

Executed on 9/30/2010 s/ LINDA GAE FOSTER

Date LINDA GAE FOSTER

Debtor

B 203 (12/94)

## UNITED STATES BANKRUPTCY COURT District of Nevada

				2.0				
In	re: LIN	NDA GAE FOSTER				Case No.		
		Debtor				Chapter	<u>13</u>	
		DISCLOSURE	E C	F COMPEN FOR DEE		ATTORNE	Y	
1.	and that comp paid to me, for	1 U.S.C. § 329(a) and Bankruptcy Repensation paid to me within one year by services rendered or to be rendered ith the bankruptcy case is as follows:	pefor	e the filing of the petiti	on in bankruptcy, or a	greed to be	or(s)	
	For legal	services, I have agreed to accept				;	\$	4,500.00
	Prior to th	ne filing of this statement I have receive	/ed			;	\$	2,526.00
	Balance I	Due				;	\$	1,974.00
2.	The source of	f compensation paid to me was:						
	<b>☑</b> D	Debtor		Other (specify)				
3.	The source of	f compensation to be paid to me is:						
		Debtor	Ø	Other (specify)	trustee			
4.		not agreed to share the above-discloslaw firm.	sed o	compensation with any	other person unless	they are members ar	nd associat	es
5.	my law attache	agreed to share the above-disclosed of firm. A copy of the agreement, toget ed.  he above-disclosed fee, I have agreed	her	with a list of the names	of the people sharing	g in the compensation		
	,	sis of the debtor's financial situation, a ion in bankruptcy;	nd re	endering advice to the	debtor in determining	whether to file		
	b) Prepar	ration and filing of any petition, schedu	ules,	statement of affairs, a	nd plan which may be	e required;		
	c) Repres	sentation of the debtor at the meeting	of cr	editors and confirmati	on hearing, and any a	djourned hearings th	ereof;	
	d) [Other <b>None</b>	provisions as needed]						
6.		nt with the debtor(s) the above disclosursary proceeding	ed fe	ee does not include the	e following services:			
				CERTIFICA	TION			
r	-	the foregoing is a complete statement of the debtor(s) in this bankruptcy pro			gement for payment	to me for		
[	Dated: <u>9/30/2</u>	2010						
				/s/ J. Craig J. Craig De	Demetras metras, Bar No.	4246		
				<b>Demetras</b> 8 Attorney for D				

WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2.

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

## NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <a href="mailto:before">before</a> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

Form B 201A, Notice to Consumer Debtor(s)

Page 2

## <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

**B 201B** (Form 201B) (12/09)

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re LINDA GAE FOSTER  Debtor	Case No Chapter13	
CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE		
Certific  I , the debtor, affirm that I have received and read this notice,	cate of the Debtor as required by § 342(b) of the Bankruptcy Co	de.
LINDA GAE FOSTER	Xs/ LINDA GAE FOSTER	9/30/2010
Printed Name of Debtor	LINDA GAE FOSTER	
Case No. (if known)	Signature of Debtor	Date

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re	LINDA GAE FOSTER	Case No.	
	Debtor.	Chapter	13

#### STATEMENT OF MONTHLY NET INCOME

The undersigned certifies the following is the debtor's monthly income .

Income:	Debtor
Six months ago	\$6,153.79
Five months ago	\$9,715.13
Four months ago	\$5,267.48
Three months ago	\$6,436.81
Two months ago	\$5,247.80
Last month	\$5,465.64
Income from other sources	\$0.00
Total net income for six months preceding filing	\$ 38,286.65
Average Monthly Net Income	\$ <u>6,381.11</u>

Attached are all payment advices received by the undersigned debtor prior to the petition date, I declare under penalty of perjury that I have read the foregoing statement and that it is true and correct to the best of my knowledge, information, and belief.

Dated:	9/30/2010	-
		s/ LINDA GAE FOSTER
		LINDA GAE FOSTER
		Debtor